

by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *Trinity* Term, in the Year of our Lord one thousand seven hundred and eleven, where any Writ of *Mandamus* shall issue out of the Court of Queen's Bench, the Courts of Sessions of Counties Palatine, or out of any the Courts of Grand Sessions in *Wales*, in any of the Cases aforesaid, such Person or Persons, *who by the Laws of this Realm are required to **694** make a Return to such Writ of *Mandamus*, shall make his or their Return to the first Writ of *Mandamus*.

II. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *Trinity* Term, as often as in any of the Cases aforesaid, any Writ of *Mandamus* shall issue out of any of the said Courts, and a Return shall be made thereunto, it shall and may be lawful to and for the Person or Persons suing or prosecuting such Writ of *Mandamus*, to plead to, or traverse all or any the material Facts contained within the said Return; to which the Person or Persons making such Return shall reply, take issue, or demur; and such further Proceedings, and in such Manner shall be had therein, for the determination thereof, as might have been had if the Person or Persons suing such Writ had brought his or their Action on the Case for a false Return; and if any Issue shall be joined on such Proceedings, the Person or Persons suing such Writ shall and may try the same in such Place as an Issue joined in such Action on the Case should or might have been tried; and in Case a verdict shall be found for the Person or Persons suing such Writ, or Judgment given for him or them upon a Demurrer, or by *Nil dicit*, or for Want of a Replication or other Pleading, he or they shall recover his or their Damages and Costs, in such manner as he or they might have done in such Action on the Case as aforesaid; such Costs and Damages to be levied by *Capias ad Satisfaciendum*, *Fieri Facias*, or *Elegit*; and a peremptory Writ of *Mandamus* shall be granted without Delay, for him or them for whom Judgment shall be given, as might have been, if such Return had been adjudged insufficient; and in case Judgment shall be given for the Person or Persons, making such Return to such Writ, he or they shall recover his or their Costs of Suit, to be levied in manner aforesaid.